

Office of Commonwealth's Attorney

Commonwealth's Attorney

Focus

The Commonwealth's Attorney is a constitutional officer of the Commonwealth of Virginia. As such, he is not an officer or employee of the County from which he was elected. In this jurisdiction, the Commonwealth's Attorney is elected by voters of Fairfax City and Fairfax County.

The Office of the Commonwealth's Attorney (OCA) is charged primarily with the prosecution of crime. This office prosecutes criminal and traffic matters in the Fairfax County General District Court, criminal and delinquency matters in the Juvenile and Domestic Relations District Court, and all felony cases in the Fairfax County Circuit Court. The office handles both the violation of County ordinances and the violation of state statutes.

The caseload of the office is substantial and is one of the highest per prosecutor in the Commonwealth. For example, it handles such offenses as murder, rape, robbery, burglary and illegal drug sales, from arrest to trial. It prosecutes a wide variety of misdemeanor and traffic cases, including more than 4,000 driving under-the-influence violations, thousands of assaults and thousands of petty thefts.

State law specifically mandates certain duties for the Commonwealth's Attorney. He is charged with advising the Grand Jury relative to their duties, representing the Electoral Board in certain election matters, and advising any officers or employees of Fairfax City or Fairfax County on matters involving conflict of interest. On a daily basis, the OCA works with numerous law enforcement units (e.g., State Police, Fairfax County Police, Fairfax City Police, the Town of Herndon and Town of Vienna Police, game wardens and humane agents) in the course of investigations and in response to questions concerning criminal law.

Office of Commonwealth's Attorney

Budget and Staff Resources

Agency Summary					
Category	FY 2004 Actual	FY 2005 Adopted Budget Plan	FY 2005 Revised Budget Plan	FY 2006 Advertised Budget Plan	FY 2006 Adopted Budget Plan
Authorized Positions/Staff Years					
Regular	36/ 35.5	36/ 35.5	36/ 35.5	36/ 35.5	36/ 35.5
Exempt	1/ 1	1/ 1	1/ 1	1/ 1	1/ 1
Expenditures:					
Personnel Services	\$1,637,330	\$1,925,055	\$1,900,055	\$1,980,864	\$1,980,864
Operating Expenses	107,243	81,550	109,769	86,682	86,682
Capital Equipment	0	0	0	0	0
Total Expenditures	\$1,744,573	\$2,006,605	\$2,009,824	\$2,067,546	\$2,067,546
Income:					
Commonwealth's Attorney Fees	\$13,129	\$12,178	\$12,178	\$12,422	\$12,422
City of Fairfax Contract	24,330	24,330	27,241	27,241	27,241
State Shared Retirement - Commonwealth's Attorney	36,202	40,770	40,770	41,585	41,585
State Shared Commonwealth's Attorney Expenses	1,177,422	1,186,392	1,186,392	1,210,028	1,210,028
State Reimbursement Commonwealth's Attorney Witness	(1,561)	16,400	16,400	16,400	16,400
Total Income	\$1,249,522	\$1,280,070	\$1,282,981	\$1,307,676	\$1,307,676
Net Cost to the County	\$495,051	\$726,535	\$726,843	\$759,870	\$759,870

Position Summary					
1	Commonwealth's Attorney E	17	Assist. Commonwealth's Attorneys II	2	Paralegal Assistants
1	Deputy Commonwealth's Attorney			1	Administrative Assistant IV
3	Assistant Commonwealth's Attorneys IV	1	Chief of Administrative Services	3	Administrative Assistants III
4	Assistant Commonwealth's Attorneys III	1	Management Analyst I	2	Administrative Assistants II, 1 PT
		1	Computer Systems Analyst I		
TOTAL POSITIONS				E Denotes Exempt Position	
37 Positions / 36.5 Staff Years				PT Denotes Part-Time Position	

FY 2006 Funding Adjustments

The following funding adjustments from the FY 2005 Revised Budget Plan are necessary to support the FY 2006 program:

- ◆ **Employee Compensation** **\$55,809**
An increase of \$55,809 in Personnel Services associated with salary adjustments necessary to support the County's compensation program.

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Board of Supervisors' Adjustments

The following funding adjustments reflect all changes to the FY 2006 Advertised Budget Plan, as approved by the Board of Supervisors on April 25, 2005:

- ◆ The Board of Supervisors made no adjustments to this agency.

Changes to FY 2005 Adopted Budget Plan

The following funding adjustments reflect all approved changes in the FY 2005 Revised Budget Plan since passage of the FY 2005 Adopted Budget Plan. Included are all adjustments made as part of the FY 2004 Carryover Review and all other approved changes through December 31, 2004:

- ◆ **Carryover Adjustments** **\$3,219**
As part of the FY 2004 Carryover Review, the Board of Supervisors approved encumbered funding of \$3,219 in Operating Expenses.

The following funding adjustments reflect all approved changes to the FY 2005 Revised Budget Plan from January 1, 2005 through April 18, 2005. Included are all adjustments made as part of the FY 2005 Third Quarter Review:

- ◆ The Board of Supervisors made no adjustments to this agency.

Key Performance Measures

No Performance Indicators are available for this agency.

Objectives

- ◆ To continue to prosecute all criminal cases in Fairfax County and all felony cases occurring in the City of Fairfax, for which sufficient evidence is available to support charges.